



STATES OF JERSEY ORDER PAPER

Tuesday 20th November 2012

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Social Security (Insolvency Benefit) (Jersey) Order 2012. R&O.123/2012.
Minister for Social Security.

Public Finances (Transitional Arrangements) (Amendment) (Jersey) Order 2012. R&O.124/2012.
Minister for Treasury and Resources.

C. DOCUMENTS PRESENTED OR LAID

D. NOTIFICATION OF LODGED PROPOSITIONS

Minister for Justice and Department of Justice: report. P.120/2012.
Lodged: 13th November 2012.
Senator L.J. Farnham.

Draft Repatriation of Prisoners (Jersey) Law 2012 (Appointed Day) Act 201-. P.121/2012.
Lodged: 13th November 2012.
Minister for Home Affairs.

Draft Health Insurance (Amendment No. 14) (Jersey) Law 2012 (Appointed Day) Act 201-. P.122/2012.
Lodged: 13th November 2012.
Minister for Social Security.

Greville Bathe Fund: appointment of Jurat. P.123/2012.
Lodged: 16th November 2012.
Minister for Treasury and Resources.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS



I. QUESTIONS

(a) – Written Questions

(attached)

1. The Minister for Economic Development will table an answer to a question asked by the Connétable of St. John regarding the construction of a new hangar at Jersey Airport.
2. The Minister for Economic Development will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the insurance liability for cars and vehicles damaged on the car-deck of a Condor ferry.
3. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the flooding risk to Green Street car park.
4. The Minister for Economic Development will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the current Harbourmaster.
5. The Minister for Housing will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the achievement of affordable and social rented homes targets.
6. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding the rebates claimed by G.P.s.
7. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding the use of the Liverpool Care Pathway in Jersey.
8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the use of a storage facility at La Collette.
9. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the proposed location of staff car parking near the Green Street police headquarters scheme.
10. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the potential use of public car parks to provide staff spaces for the proposed Green Street police headquarters scheme.
11. The Minister for Home Affairs will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the police investigation into the rezoning of agricultural land.
12. The Minister for Home Affairs will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the role played by the Bailiff in live police operational matters.
13. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier about so-called 'will kits'.
14. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the public's legal responsibility to report allegations of child abuse to the police.
15. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the disclosure by banks of suspected tax evasion.
16. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the extent to which allowances or subsidies for rental/mortgage costs have been used to recruit or retain public sector staff.



17. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the consideration of recommendations made within S.R.3/2011 'Review of Benefit Levels'.
18. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the consideration of recommendations made within S.R.3/2011 'Review of Benefit Levels'.
19. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding vehicles owned and operated by the States of Jersey Police.
20. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding whether Crown Officers, or any States Departments or States Appointed Bodies have been party to obtaining any injunctions in the last 3 years.
21. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the extension of the historic abuse redress scheme to include visitors to Haut de la Garenne and other children's homes.
22. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the number and details of prosecutions brought by the Data Protection Commissioner under the Data Protection (Jersey) Law 2005 since the Appointed Day Act was adopted by the States.
23. H.M. Attorney General will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding protections afforded complainants who consent to the use of confidential medical or counselling information in a criminal trial.
24. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the outcome of the internal review into patient travel expenses.
25. The Chief Minister will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding the implementation of Strategic Social Assessments.
26. H.M. Attorney General will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding whether the Education (Discretionary Grants – General) (Jersey) Order 2008 already provides the ability to take account of a separated parent's income or that of the new partner.
27. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the rights of children and parents to information when the children are under the care of and/or supervision of the Health and Social Services Department.
28. The Chief Minister will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding proposed changes to the social policy framework.
29. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the full impact of the proposal to amend the Education (Discretionary Grants – General) (Jersey) Order 2008.



(b) – Oral Questions

(120 minutes)

1. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Can the Minister state the source of the projected £250,000 savings figure for the Managed Print Service solution, advise whether Danwood are contractually bound to deliver this level of savings and whether he still considers that the States of Jersey are getting best value for money under this contract?”

2. Senator S.C. Ferguson will ask the following question of the Minister for Health and Social Services –

“Was the Minister aware that the Consultant obstetrician and gynaecologist from the Health and Social Services Department was being featured on the front page of the local paper before the article on childhood obesity and health risks was published?”

3. Deputy G.P Southern of St. Helier will ask the following question of the Minister for Social Security –

“Can the Minister explain why, despite measures designed to reduce the supplementation bill by £7 million by raising additional contributions above the standard earnings limit in 2012, estimates indicate a lower return with the 2015 estimate returning to the 2011 sum of £65.3 million and would he outline what further actions, if any, he is considering to reduce the supplementation bill?”

4. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –

“Would the Chief Minister explain why he made the statement on 16th October 2012 concerning the investigation of allegations against a former Senator in relation to planning corruption and on what basis was the statement made?”

5. Deputy M. Tadier will ask the following question of the Chief Minister –

“With reference to the proposed Committee of Inquiry into Historic Child Abuse, will the Chief Minister confirm that Paragraph 10 of the proposed Terms of Reference will allow the Committee to review the suspension of the former Chief Officer of the States of Jersey Police and whether the suspension was because of concerns relating to the prosecution of offenders?”

6. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Now work has started on the drainage shaft at Ann Court can the Minister give a completion date and the full cost of the project?”

7. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister explain why it is planned to dismantle the Bellozanne chimney gradually instead of by explosive demolition and would he also advise of the cost differential between the two methods?”

8. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Chief Minister –

“What is the position of the Council of Ministers on the subject of a Channel Islands Confederation?”



9. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Would the Minister explain why in his public comments, he has described the development of Housing on the headland at Plémont as an ‘environmental improvement’, when the Planning Inspector’s report concluded that housing at Plémont conflicted with the Island Plan Spatial Strategy and required ‘cogent, exceptional justification’ and how he will prevent his advocacy of this proposal having a damaging effect on the future integrity of the Island Plan?”

10. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Further to the recently announced price increase at Jersey Electricity of 9.5%, more than 4 times the rate of inflation, does the Minister, as the shareholder representative, consider that the damage to the undersea cable that provides a link to electricity generated in France is an infrastructure and capital issue and that the cost of repairing and replacing this should not be tariff based and applied to any price increase?”

11. The Deputy of St. Martin will ask the following question of the Minister for Planning and Environment –

“Can the Minister confirm if any cases of Ash dieback fungal disease have been discovered in Ash trees in Jersey, and if so, how many?”

12. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Economic Development –

“Is the Minister employing consultants at a cost of £950,000 to report on the future of the Finance Industry and, if so, why, when a person has just been appointed as Director of Financial Services Policy with the same remit?”

13. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Can the Minister advise whether the £23,367 overpayment to Danwood for managed print services to schools has now been recovered and whether the company has supplied all the figures necessary for the Treasury's internal auditor to reconcile the cost differences between Hautlieu, Les Quennevais and the supplier under the contract and to ascertain the true cost of the contract overall?”

14. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –

“In the light of last week’s decision by the Minister for Planning and Environment to grant planning permission for 28 homes to be built on the site, will the Chief Minister be persisting with his proposition seeking to acquire the former Plémont Holiday Village (P.90/2012)?”

15. Deputy G.P Southern of St. Helier will ask the following question of the Chief Minister –

“Were the almost £1 billion of deposits from EU nationals in HSBC covered by the European Union Savings Tax Directive (EUSTD) which is designed solely to tackle tax evasion and, if so, why is the option of choosing withholding tax which enables depositors to hide their identities from their home authorities to evade tax still available in Jersey?”



(c) – Questions to Ministers without notice (30 minutes) –

1st question period – Minister for Education, Sport and Culture

2nd question period – Minister for Health and Social Services

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

- Ratification of the Agreement for the exchange of information relating to Tax Matters between the Government of Jersey and the Government of the Republic of Austria. P.85/2012.
Lodged: 17th September 2012.
Chief Minister.
- Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 5) (Jersey) Regulations 201-. P.86/2012.
Lodged: 24th September 2012.
Chief Minister.
- Draft Debt Relief (Developing Countries) Jersey Law 201-. P.91/2012.
Lodged: 1st October 2012.
Chief Minister.
- Police Station Relocation: review of decision. P.92/2012.
Lodged: 2nd October 2012.
Deputy J.A. Martin of St. Helier.
- Police Station Relocation: review of decision (P.92/2012) – amendment. P.92/2012.
Lodged: 31st October 2012. Amd.
Deputy J.A. Martin of St. Helier.
- Draft Royal Court (Amendment No. 13) (Jersey) Law 201-. P.93/2012.
Lodged: 3rd October 2012.
Chief Minister.
- Draft Incorporated Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. P.94/2012.
Lodged: 8th October 2012.
Minister for Economic Development.
- Draft Separate Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. P.95/2012.
Lodged: 8th October 2012.
Minister for Economic Development.
- Draft Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. P.96/2012.
Lodged: 8th October 2012.
Minister for Economic Development.



Old Age Pension: increase for 2012. Lodged: 9th October 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.97/2012.
Old Age Pension: increase for 2012 (P.97/2012) – comments. Presented: 7th November 2012. <i>Minister for Social Security.</i>	P.97/2012. Com.
Draft Gambling (Ancillary Services and Miscellaneous Provisions) (Jersey) Regulations 201-. Lodged: 9th October 2012. <i>Minister for Economic Development.</i>	P.98/2012.
Draft Gambling (Charitable and Membership Gambling Services) (Jersey) Regulations 201-. Lodged: 9th October 2012. <i>Minister for Economic Development.</i>	P.99/2012.
Draft Gambling (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 9th October 2012. <i>Minister for Economic Development.</i>	P.100/2012.
Reform Day: 28th September 1769. Lodged: 22nd October 2012. <i>Deputy T.M. Pitman of St. Helier.</i>	P.107/2012.

M. ARRANGEMENT OF PUBLIC BUSINESS

4th December 2012

Draft Budget Statement 2013. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.102/2012.
Draft Budget Statement 2013 (P.102/2012): amendment. Lodged: 2nd November 2012. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.102/2012. Amd.
Draft Finance (2013 Budget) (Jersey) Law 201-. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.103/2012.
Draft Income Tax (Amendment No. 41) (Jersey) Law 201-. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.104/2012.
Draft Goods and Services Tax (Amendment No. 4) (Jersey) Law 201-. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.105/2012.
Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey. Lodged: 27th September 2012. <i>Chief Minister.</i>	P.90/2012.



Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey (P.90/2012) – amendment Lodged: 10th October 2012. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.90/2012. Amd.
Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201- Lodged: 9th October 2012. <i>Minister for Social Security.</i>	P.101/2012.
Income Tax: Report on Personal Income Tax Assessments. Lodged: 18th October 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.106/2012.
Draft Alternative Investment Funds (Jersey) Regulations 201- Lodged: 23rd October 2012. <i>Minister for Economic Development.</i>	P.109/2012.
Draft Financial Services (Amendment of Law No. 4) (Jersey) Regulations 201- Lodged: 23rd October 2012. <i>Minister for Economic Development.</i>	P.110/2012.
Commissioner of Appeal for Taxes Office: appointment. Lodged: 31st October 2012. <i>Minister for Treasury and Resources.</i>	P.116/2012.
Jersey Heritage Trust: appointment of Chairman. Lodged: 2nd November 2012. <i>Minister for Education, Sport and Culture.</i>	P.117/2012.
<u>11th December 2012</u>	
Jersey Appointments Commission: appointment of Commissioner. Lodged: 23rd October 2012. <i>Chief Minister.</i>	P.108/2012.
Draft Intellectual Property (Unregistered Rights) (Jersey) Law 2011 (Appointed Day) Act 201- Lodged: 30th October 2012. <i>Minister for Economic Development.</i>	P.111/2012.
Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Jersey) Regulations 201- Lodged: 30th October 2012. <i>Minister for Economic Development.</i>	P.112/2012.
Tourism Shadow Board: establishment. Lodged: 30th October 2012. <i>Minister for Economic Development.</i>	P.113/2012.
Draft Fire Precautions (Amendment No. 2) (Jersey) Law 2012 (Appointed Day) Act 201- Lodged: 30th October 2012. <i>Minister for Home Affairs.</i>	P.114/2012.
Draft Fire Precautions (Designated Premises) (Jersey) Regulations 201- Lodged: 30th October 2012. <i>Minister for Home Affairs.</i>	P.115/2012.



Connétables and other parish officials: explanatory document and new legislation. P.119/2012.
Lodged: 6th November 2012.
Deputy M.R. Higgins of St. Helier.

Draft Repatriation of Prisoners (Jersey) Law 2012 (Appointed Day) Act 201-. P.121/2012.
Lodged: 13th November 2012.
Minister for Home Affairs.

Draft Health Insurance (Amendment No. 14) (Jersey) Law 2012 (Appointed Day) P.122/2012.
Act 201-.
Lodged: 13th November 2012.
Minister for Social Security.

15th January 2013

Committee of Inquiry: Historical Child Abuse. P.118/2012.
Lodged: 6th November 2012.
Council of Ministers.

Minister for Justice and Department of Justice: report. P.120/2012.
Lodged: 13th November 2012.
Senator L.J. Farnham.

Greville Bathe Fund: appointment of Jurat. P.123/2012.
Lodged: 16th November 2012.
Minister for Treasury and Resources.

M.N. DE LA HAYE
Greffier of the States

15th November 2012

Note –

In accordance with the meeting dates fixed for 2012 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 21st and Thursday 22nd November 2012.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.123/2012.

Social Security (Insolvency Benefit) (Jersey) Order 2012.

Minister for Social Security.

The object of this Order is to make amendments consequential on the implementation, from 1st December 2012, of Articles 26A to 26J of the Social Security (Jersey) Law 1974. Those Articles provide for a benefit (referred to as insolvency benefit) that may be paid to former employees in certain cases where their employer becomes insolvent and ceases trading. Insolvency benefit is calculated on the basis of the following components, but subject to certain limits –

- (a) unpaid wages;
- (b) any sum due in lieu of a person's period of notice of termination (and calculated in accordance with Part 6 of the Employment (Jersey) Law 2003);
- (c) any redundancy payment due (and calculated in accordance with Part 6A of the Employment (Jersey) Law 2003);
- (d) any pay due for holidays already taken and any pay due for holidays not yet taken.

Article 1 reduces the component that represents a sum in lieu of a person's period of notice of termination to the extent that, during that period, the person was absent from Jersey (otherwise than, in certain cases, to seek work or treatment for incapacity) or was in custody.

Article 2 sets out, as amounts that are to be deducted from the component of insolvency benefit that represents a sum in lieu of a person's period of notice of termination –

- (a) any incapacity pension paid during the period of notice;
- (b) any income from self-employment (within the meaning of the Social Security (Contributions) (Jersey) Order 1975) during the period of notice; and
- (c) a proportion of the relevant deemed (or notional income) in a case where the person has paid social security contributions at a concessional rate (in accordance with the Social Security (Contributions) (Jersey) Order 1975 and relating, for example, to a business start-up).

Article 3 amends the Social Security (Claims and Payments) (Jersey) Order 1974 –

- (a) in Article 11 to make it clear that insolvency benefit may be paid once, in instalments or periodically;
- (b) in Article 13 to ensure that, in certain cases, insolvency benefit may be paid that relates to a period that fell more than 6 months before the benefit was claimed; and
- (c) in Schedule 2 to require claims for insolvency benefit to be made within 30 days after the relevant employment ceased (or during a period specified by the Minister in a particular case, but not exceeding 6 months).

Article 4 amends the Social Security (Residence and Persons Abroad) (Jersey) Order 1974 to allow insolvency benefit to be paid directly to a person during the person's absence overseas.

Article 5 amends the Social Security (Overlapping Benefits) (Jersey) Order 1975 –

- (a) in the Schedule, to ensure that no adjustment of insolvency benefit is made if there is an overlap between the components of insolvency benefit that represent wages, sums due in lieu of a period of notice or holiday pay on the one hand and certain specified benefits on the other;
- (b) in the Schedule, to ensure that no adjustment is made of the component of insolvency benefit that represents any amount of redundancy payment; and



- (c) by adding an Article 1A to limit an adjustment of benefits payable to a person entitled to insolvency benefit, so that adjustment is made only in respect of those days –
 - (i) that relate to the unpaid wages and holiday pay components of insolvency benefit, and
 - (ii) on which any short term incapacity allowance or maternity allowance, or both of them, is payable to the person.

Article 6 amends the Social Security (General Benefit) (Jersey) Order 1975 –

- (a) in Article 10 to ensure that a person is not disqualified for insolvency benefit just because the person is in custody (subject to *Article 1* referred to above and to Article 11 of the Social Security (General Benefit) (Jersey) Order 1975, which suspends the payment of benefits, or requires them to be paid to a nominee, while a person is in custody); and
- (b) in Article 12 to make it clear that an emergency payment of insolvency benefit to a person before the person's claim is determined is nevertheless to be regarded as a payment of that benefit, subject however –
 - (i) to a requirement of repayment in cases where the person has not acted in good faith, and
 - (ii) to the payment's being treated as the payment of another benefit when that other benefit is the appropriate benefit in the circumstances.

Article 7 sets out the name of the Order and provides for it to come into force on 1st December 2012.

The Order was made on 5th November 2012 and comes into force on 1st December 2012.

R&O.124/2012.

Public Finances (Transitional Arrangements) (Amendment) (Jersey) Order 2012.

Minister for Treasury and Resources.

This Order amends the Public Finances (Transitional Arrangements) (Jersey) Order 2011. That Order provides for the continued application, during 2012, of certain rules and provisions of the Public Finances (Jersey) Law 2005 (the "principal Law") as it was in force before the commencement of the Public Finances (Amendment No. 3) (Jersey) Law 2011 (the "2011 Law").

This Order extends until 1st July 2013 the period for which 2 of those rules and provisions continue to apply. The first rule allows the States, despite the repeal of Article 11(8) of the principal Law by the 2011 Law, to amend a head of expenditure, on a proposition lodged by the Minister for Treasury and Resources, on the ground that there is an urgent need for expenditure and no expenditure approval is available. The second rule permits the variation of a head of expenditure either in accordance with Article 15 of the principal Law as it was in force before the commencement of the 2011 Law or in accordance with Article 18 of the principal Law as it is now in force.

The Order was made on 5th November 2012 and came into force on 12th November 2012.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Economic Development will table an answer to the following question asked by the Connétable of St. John –

“Further to the announcement about the construction of a new 55,000 sq.ft. hangar at the Jersey Airport, would the Minister explain –

- (a) why it has been decided to build the hangar, and who will be meeting the cost of construction, Hanger8 or the States?
 - (b) whether the site was offered to Aviation Beauport and, if not why not?
 - (c) whether Hanger8 will be paying income tax in Jersey and, if not, what the real benefit to Jersey is?
 - (d) how many companies tendered for this hangar and whether the Department carried out due diligence searches on all the companies who tendered? Would the Minister give details of all tenders and financial appraisals and if not, why not?
 - (e) whether there is a risk that another operator at Jersey Airport will cause the demise of Aviation Beauport?”
2. The Minister for Economic Development will table an answer to the following question asked by Deputy S.S.P.A. Power of St. Brelade –

“Can the Minister confirm the status of insurance liability for cars and vehicles damaged on the car-deck of a Condor ferry service during bad weather and whether the liability for damage falls on the ferry company or the owner of the vehicle?”

3. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy. G.C.L. Baudains of St. Clement –

“Can the Minister advise whether his Department still acknowledges that in the event of, for example, severe southerly storms coinciding with a high spring tide (as happened in October 1812), certain southern areas of the Island would become a ‘disaster area’ and, if so, would he further advise whether this area includes the Green Street car park?”

4. The Minister for Economic Development will table an answer to the following question asked by Deputy S.S.P.A. Power of St. Brelade –

“Would the Minister inform members who Jersey’s current Harbourmaster is?”

5. The Minister for Housing will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Has the Minister or the Department given any consideration as to whether a parish-based social housing/affordable housing scheme (perhaps mirroring over-55s schemes) would be a feasible and desirable way of helping to achieve the target of the 1,000 new ‘affordable’ and ‘social rented’ homes alluded to in point 7.20 of the 2011 Island Plan?”



6. The Minister for Health and Social Services will table an answer to the following question asked by Senator S.C. Ferguson –

- “(a) How many rebates were claimed by G.P.s for the year from 31st October 2011 until 31st October 2012 and at what cost?
- (b) How much of the cost was associated with referral letters?
- (c) What checks and measures were made to ensure only legally allowable claims were made? How frequently have these checks been made in the last 10 years and in what form? Has evidence of outlier practices been looked for or found? If so, what action was taken?
- (d) How many, if any, were found to be incorrect claims (e.g. requesting X-rays or “telephone consultations”, etc.) during the period October 2011 to October 2012?
- (e) Are there any other doubtful claims for rebate payments being made? For example are 2 claims (one for the prescription and one to administer it) being made to give one flu vaccine? If this has happened, what has been the cost to the Health Insurance Fund in total and per signature rebates? What action has been taken?
- (f) What measures have been taken in relation to false claims and what monies have been recovered?
- (g) If evidence is found that false claims have been made what action will be taken against such claimants?”

7. The Minister for Health and Social Services will table an answer to the following question asked by Senator S.C. Ferguson –

“What are the controls and procedures used for the Liverpool Care Pathway in Jersey?
How long has this procedure been used in Jersey?
In how many cases has this procedure been used?
Have there been any complaints and, if so, how were these resolved?”

8. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy J.A. Martin of St. Helier –

“Further to his written answer on 6th November 2012 in which the Minister stated that archive and equipment storage, a garage and command vehicles would be located at the States-owned warehouse unit at La Collette, will the Minister –

- (a) explain what equipment will be stored at this location, state whether the garage at La Collette will be a ‘forensic garage’ and explain the function of a ‘forensic garage’;
- (b) clarify the reply that £30,000 per annum has been set aside for the security of this location;
- (c) give the total cost for this extra site;
- (d) explain where all the above functions are carried out at present?”



9. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy J.A. Martin of St. Helier –

“Further to the statement made by the Assistant Minister at the lunchtime briefing on the proposed Police Headquarters on 7th November 2012 that the Police have been offered 40 dedicated car parking spaces for staff cars within a 100 yard walk of the new site, would the Minister please state where these spaces are to be located?”

10. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy J.A. Martin of St. Helier –

“At a lunchtime briefing on 7th November 2012 concerning the proposed new Police Headquarters, the Assistant Ministers for Treasury and Resources stated that the Police had now been offered 40 dedicated car parking spaces for staff cars within a 100 yard walk of the new site; will the Minister confirm that these spaces will not be in Green Street or Snow Hill car parks or in any other car park managed by the States?”

11. The Minister for Home Affairs will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“(a) Further to the announcement on 16th October 2012 by the Chief Minister that the States of Jersey Police had concluded their investigation on rezoning of agricultural land issues and concluded that there was “no evidence to support the allegations” would the Minister state what form the police investigation took and inform members whether –

(i) key witnesses were interviewed by the Police;

(ii) an investigating officer was found to be in e-mail correspondence with one of those allegedly involved in the alleged offences?

(b) Is the States of Jersey Police aware that one of those who made a statement to the police, in what he believed was his public duty, is now being subjected to threatening letters by one involved in the alleged allegations and, if so, what comfort does he believe members of the public can have when reporting what they consider to be criminal actions or wrongdoings if intimidations of this type are allowed to take place?”

12. The Minister for Home Affairs will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Can the Minister clarify what role, if any, the Bailiff may play in live police operational matters, and state whether there are any police procedures that would permit a complaint relating to allegations of corruption sent directly to the Chief Officer of the States of Jersey Police to be passed by the police to the Bailiff?”

13. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Will the Attorney General inform members whether the ‘will kits’ that are widely available from retailers and used regularly in the United Kingdom are legal in Jersey and, if not, given that many older people do not have the disposable income to afford paying expensive legal fees to engage the services of a local lawyer yet still wish to put their affairs in order, what aspects of the law in Jersey would have to be altered to give Islanders the same rights and reduced expense available to their mainland counterparts?”



14. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“In the light of the revelations around the late entertainer Jimmy Savile, and notwithstanding the fact that education and social institutions in Jersey now have in place policy guidelines explaining what employees’ responsibilities are in reporting suspected child abuse to the police authorities; will the Attorney General outline whether actual legislation is in place to require employees or other members of the public to report allegations of abuse to the police and, in addition, what potential offences, if any, may be committed should people fail to do so?”

15. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Does the Minister accept that the Jersey Financial Services Commission’s (JFSC) implementation of the “highest standards of regulation” is reliant on disclosure by banks of suspected tax evasion, and that any UK resident who declines to have the interest sent to H.M. Revenue and Customs (HMRC), without evidence of declaration of total income, must be suspected of tax evasion and should be reported to the JFSC?”

Will the Minister inform members when he expects to receive reports from the JFSC on the extent of breaches of Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT) regulations reported in the recent US Senate investigation into the activities of HSBC Middle East and the reports in the Daily Telegraph on HSBC accounts?

Will the Minister give members details of –

- (i) JFSC’s 66 on-site AML unit investigations reported in the 2011 Annual report, and
- (ii) The shortcomings in prudential reporting, outlined on page 24 of the Report?

Will the Minister commission an independent enquiry into the powers and resources of the JFSC to investigate whether Jersey has delivered the highest standards of AML/CFT enforcement, not just on paper but in practice, and to make recommendations to improve future practice, and if not why not?

16. The Chief Minister will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Chief Minister inform members of the extent to which allowances or subsidies for rental/mortgage costs have been used to recruit or retain public sector staff over the first 6 months of 2012 to include –

- (a) the totals paid, by department;
- (b) the numbers and grades of employees concerned;
- (c) the monthly sums paid in each case, and
- (d) the periods over which the allowance was expected to last?”



17. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Further to the joint answer from 3 Ministers given on 6th November 2012, will the Minister advise members what consideration, if any, has been given to Recommendations 14, 16 and 17 of S.R.3/2011 ‘Review of Benefit Levels’?”

Will he further state when he will publish his own report into the impact of Income Support over the first 4 years of its operation?”

(For information –

Recommendation 14 (Page 95)

The Minister for Social Security, in his own review of Income Support, must examine the interaction between the level of the minimum wage and the overall cost of Income Support.

Recommendation 16 (Page 101)

The Ministers for Social Security and Treasury and Resources must work together to reduce the overlap between Income Support levels and Income Tax thresholds at the lower end of the earnings distribution in order to correct inefficiencies and report their findings within 12 months.

Recommendation 17 (Page 101)

The Ministers for Social Security and Treasury and Resources should pursue the potential benefit from improved modelling of the tax and benefit system to produce profiles similar to that produced by the UK Government entitled “Tax Benefit Model Tables” and report their findings within 12 months.)

18. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Further to the joint answer from 3 Ministers given on 6th November 2012, will the Minister inform members what attention, if any, has been paid to Recommendations 16 and 17 of S.R.3/2011 ‘Review of Benefit Levels’ as part of his review of the tax system and, if none, state why?”

(For information –

Recommendation 16 (Page 101)

The Ministers for Social Security and Treasury and Resources must work together to reduce the overlap between Income Support levels and Income Tax thresholds at the lower end of the earnings distribution in order to correct inefficiencies and report their findings within 12 months.

Recommendation 17 (Page 101)

The Ministers for Social Security and Treasury and Resources should pursue the potential benefit from improved modelling of the tax and benefit system to produce profiles similar to that produced by the UK Government entitled “Tax Benefit Model Tables” and report their findings within 12 months.)

19. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister list in tabular form each vehicle owned and operated by the States of Jersey Police, stating the year it was purchased, the make and model, original purchase price, use (patrol car, CID, Crime Prevention, Senior Officer Transport, etc.), mileage, anticipated replacement date and anticipated cost of replacement?”



20. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will H.M. Attorney General advise the Assembly whether or not the Crown Officers, or any States Departments or States Appointed Bodies, have been party to obtaining any injunctions of any type over the last 3 years, and if so, would he advise when, to whom and to what they related and the cost of these injunctions?”

21. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“In relation to Historic Child Abuse allegations, will the Chief Minister –

- (a) explain whether he will be extending the abuse redress scheme to cover visitors to Haut de la Garenne and other children’s homes, and also to those children in foster care and, if so, when;
- (b) explain whether or not he was aware of allegations that staff allowed people to stay in accommodation at Haut de la Garenne who were neither employed by the States of Jersey nor children referred to the home and under the protection of the States of Jersey and, if so, will he consider extending the redress scheme to cover these people should they be accused of child abuse?”

22. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Chief Minister list for the Assembly the number of prosecutions brought by the Data Protection Commissioner under the Data Protection (Jersey) Law 2005 to date since the Appointed Day Act was adopted by the States, giving details of each case, its cost and its outcome?”

23. H.M. Attorney General will table an answer to the following question asked by Deputy R.G. Le Hérisssier of St. Saviour –

“What protections, if any, are afforded a complainant who consents to the use of confidential medical or counselling information in a criminal trial?

How are they made fully aware of the implications of agreeing to the use of such information?”

24. The Minister for Health and Social Services will table an answer to the following question asked by Deputy R.G. Le Hérisssier of St. Saviour –

“When is the internal review into patient travel expenses and related matters that is currently underway expected to be presented to her, will this be made public and what action, if any, does the Minister intend to take in relation to the findings?”



25. The Chief Minister will table an answer to the following question asked by Deputy T.A. Vallois of St. Saviour –

“Could the Chief Minister advise whether the creation of a Strategic Social Assessment (as per Social Policy Framework 2007) which reviews social issues and trends, and predicts their impact on services in the short and long term, was ever implemented, and if not, why not, and will he look at implementing this in the near future?”

Further to page 31 of the Social Policy Framework 2007 which states that “Policy makers are less well placed to understand how economic growth impacts on social policy objectives”, could the Chief Minister advise how the recommendations for action to rectify this statement have in fact been implemented?

Would the Chief Minister advise whether he is satisfied with the results and whether any improvements need to be made?”

26. H.M. Attorney General will table an answer to the following question asked by Deputy T.A. Vallois of St. Saviour –

“Could H.M. Attorney General provide advice as to whether Article 4(1) of the Education (Discretionary Grants – General) (Jersey) Order 2008 already provides the Education, Sport and Culture Department with the ability to take into account a separated parent’s income or that of the new partner?”

27. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister outline to the Assembly –

- (a) the rights of children and parents to information when the children are under the care and/or supervision of the Health and Social Services Department and, in particular, when the children reach the transitional ages between being classed as children or adults, under the various laws covering children and young adults that affect the Department;
- (b) the rights of children and young adults under the care or supervision of the Department who are in the transitional age ranges between being classed as children or adults, to independent advice when various care or medical plans are being suggested to them by the Department’s officers or clinicians;
- (c) the problems faced when sharing information relating to children in care or under the supervision of the Department between –
 - (i) internal departments such as the hospital, children’s services and medical disciplines relating to mental and physical health;
 - (ii) external agencies such as social services and police relating to their welfare;
 - (iii) parents or guardians;
- (d) what, if any, action she intends to take to resolve the problems identified?”



28. The Chief Minister will table an answer to the following question asked by Deputy T.A. Vallois of St. Saviour –

“Further to his confirmation at the States meeting of 6th November 2012 that the Council of Ministers is currently working to the social policy framework produced by its predecessors in 2007, and that he would be changing this during his term of office, could the Chief Minister provide details of what changes are being made?

When can the public expect to see a new social policy?

Which Ministers are involved in the development of this social policy?”

29. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy J.H. Young of St. Brelade –

“Will the Minister advise the Assembly whether his consideration of the likely effects of the proposal to amend the Education (Discretionary Grants – General) (Jersey) Order 2008, took full and careful account of the following issues –

- (i) Whether the imposition of an additional financial liability for the education of a child of a single parent upon a new partner, whether married, cohabitee or civil partner, is consistent with Jersey’s family and other legislation;
- (ii) Whether the liability of a natural parent to contribute to the maintenance of their natural children, including the cost of education until age 25, is proposed to become an optional liability in future; and
- (iii) In the event of either a natural parent or new partner declining to contribute to the cost, the availability of alternative student loan finance.

If the Minister did take account of the foregoing, would he provide the Assembly with the rationale for his proposal in respect of each issue, and if not, provide his proposed solutions to ensure that the further education of young people whose natural parents are either divorced or separated, is not unreasonably prejudiced in the future and his proposal does not have divisive unintended effects on their families?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2012

December 4th	Economic Development	Chief Minister
December 11th	Housing	Planning and Environment

2013

1st Session 2013

January 15th	Social Security	Chief Minister
January 29th	Transport and Technical Services	Home Affairs
February 19th	Treasury and Resources	Chief Minister
March 5th	Education, Sport and Culture	Health and Social Services
March 19th	Economic Development	Chief Minister
April 16th	Housing	Planning and Environment
April 30th	Social Security	Chief Minister
May 14th	Transport and Technical Services	Home Affairs
June 4th	Treasury and Resources	Chief Minister
June 18th	Education, Sport and Culture	Health and Social Services
July 2nd	Economic Development	Chief Minister
July 16th	Housing	Planning and Environment

2nd Session 2013

September 10th	Social Security	Chief Minister
September 24th	Transport and Technical Services	Home Affairs
October 8th	Treasury and Resources	Chief Minister
October 22nd	Education, Sport and Culture	Health and Social Services
November 5th	Economic Development	Chief Minister
November 19th	Housing	Planning and Environment
December 3rd	Social Security	Chief Minister
December 10th	Transport and Technical Services	Home Affairs